



2008-004757

Klamath County, Oregon



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Fee: \$31.00

Return to:
James E. Hays
41414 Clover Creek Road
Klamath Falls, OR 97601

**APPOINTMENT OF SUBSTITUTE TRUSTEE
AND RECONVEYANCE OF TRUST DEED
(Lost Note and/or Trust Deed)**

RECITALS

- A. The parties to this instrument are:

Present Beneficiary : BANK OF THE CASCADES

Successor Trustee : LAWYERS TITLE INSURANCE CORPORATION, a Nebraska corporation

- B. The undersigned present beneficiary, herein "Beneficiary," is the present owner and holder of the obligations secured by the trust deed, herein "the Trust Deed," whose parties, date and recording information are as follows:

Grantor : JAMES E. HAYS
Original Trustee : ASPEN TITLE & ESCROW, INC.
Original Beneficiary : BANK OF THE CASCADES
Recording Date : JUNE 13, 2005
Recording Reference : M-05-43903
County of Recording : Klamath

- C. Beneficiary has received payment in full of the note, herein "the Note," and other obligations secured by the Trust Deed and desires to appoint Lawyers Title Insurance Corporation, herein "Trustee," as successor trustee for purposes of reconveying the Trust Deed.

APPOINTMENT AND RECONVEYANCE

1. Holder of Indebtedness. Beneficiary warrants that it is the legal owner and holder of all indebtedness secured by the Trust Deed, which indebtedness has been fully paid and satisfied.
2. Substitution of Successor Trustee. Beneficiary appoints Trustee as successor trustee under the Trust Deed, with all the powers provided therein and allowed by law.
3. Request for Reconveyance. Beneficiary hereby requests and directs Trustee, upon payment to Trustee of any sums owing to it under the terms of the Trust Deed or provided for by law, to waive cancellation of such evidences of indebtedness secured by the Trust Deed as may not be found by Trustee and to reconvey, without warranty, to the parties designated by the terms of the Trust Deed the estate now held by Trustee under the same. All sums secured by the Trust Deed have been fully paid and satisfied. This Request waiving cancellation of the Note and requesting full reconveyance is given to Trustee in lieu of tender of the Note and execution of any provision on the Trust Deed to request its full reconveyance, inasmuch as the Note and/or Trust Deed have been lost or misplaced.
4. Indemnification. In consideration of Trustee's reconveyance herein of the Trust Deed, Beneficiary, jointly and severally, for themselves, their heirs, personal representatives, successors and assigns, hereby covenant and agree forever fully to protect, defend and save harmless Trustee from any and all losses, costs, damages, attorney fees and expenses of every kind and nature which the Trustee may suffer, expend or incur as a consequence of the performance of the execution of this instrument and delivery and recordation of same and of Trustee's performance of Trustee's duties hereunder.
5. Reconveyance. Trustee hereby grants, bargains, sells and conveys, but without any covenant or warranty, expressed or implied, to the persons legally entitled thereto, all of the right, title and interest under the Trust Deed now held by Trustee in and to the property covered by the Trust Deed and more particularly described as follows:

AS DESCRIBED IN THE TRUST DEED.

LAWYERS TITLE INS. CORP. 2007-50093

Beneficiary

Bank of the Cascades

By: Tim Hardin

Its: SUP

ACKNOWLEDGMENT FOR BENEFICIARY

STATE OF OREGON

County of DESHUTES

The foregoing instrument was acknowledged before me this 19 day of February, 2008,

by TIM HARDIN, as SUP

of BANK OF THE CASCADIES on behalf of the corporation.

[Signature]

Notary Public for the State of OREGON

My commission expires: FEB 5, 2011



DO NOT WRITE BELOW THIS LINE - RESERVED FOR TRUSTEE

Trustee

Lawyers Title Insurance Corporation

By: Karen Warman

Date: Feb 27, 2008

STATE OF Oregon,

County of Multnomah:

The foregoing instrument was acknowledged before me this 27 day of February, 2008 by

Karen Warman as Recm Specialist of Lawyers Title Insurance Corporation

on its behalf.

Candice J. Caswell

Notary Public for Oregon

My commission expires: 8.16.09

Order No. 46g0469069

